

## PROCEEDINGS OF THE STURGIS CITY COUNCIL

The Common Council of the City of Sturgis met in regular session starting at 6:30 p.m. on Monday, March 2, 2015 at the Erskine Building. Present: Mayor Mark Carstensen, Alderpersons Jason Anderson, Mike Bachand, Branden Bestgen, Marcia Johnston, Tim Potts, and Ronald Waterland. Also present: City Manager Daniel Ainslie and City Attorney Greg Barnier. Absent: David Hersrud and Kelly Vasknetz.

Mayor Mark Carstensen led everyone in the Pledge of Allegiance.

Motion by Waterland, second by Johnston and carried with all members present voting yes to approve the agenda.

### Announcements:

- Mayor Carstensen acknowledged thank you letters received from organizations that received money from the City for 2015.
- Work has begun on the 2<sup>nd</sup> Street Plaza.
- Condolences to the Davis Family on the loss of their Mother, Carol Davis.
- CPR classes are being offered by the Ambulance Department on March 11<sup>th</sup>.
- There will be a blood drive on March 4<sup>th</sup> sponsored by the Ambulance Department.
- There will be a potato feed sponsored by the Sturgis Alliance of Churches on March 17<sup>th</sup> at the Community Center from 4:30-6:30.
- The Kiwanis will be having a Hobo Stew feed on March 22<sup>nd</sup>.
- Congratulations to the Sturgis Wrestling team for finishing 5<sup>th</sup> at State.

### City Manager Ainslie reported:

- The first sales tax update for 2015-General Sales Tax and Capital Improvement Tax were down 1.6% for the month and the Gross Receipts Tax (triple B) was up 6.6% for the month.
- Payroll Changes – within budget: Ambulance Dept – Critical Care Paramedic – Anni Lukesh - \$17.80; EMT-B - Jarrett Fowler, \$12.00 per hour (\$10.00 orientation wage); Paramedic - Guy Bennett, \$17.00 per hour (\$15.00 orientation wage); Julie Schmidt – Admin Asst-Billing/Medical Coder – extra \$1.50 when performing billing duties; Nellie Isaacs – EMT 1-Billing/Medical Coder – extra \$1.50 when performing billing duties. Parks Dept - Parks Maintenance Tech 2 – Kyle Stumpf - \$11.74. Rally Dept - E-Commerce & Social Media Intern – Tammy Bohn - \$1,615 per pay period. Community Center – Lifeguard - Shelby Weisz – \$9.00.

Motion by Potts, second by Bachand and carried with all members present voting yes to approve the following items on the consent calendar:

- a. Approve the minutes from the February 17, 2015 regular Council meeting and the Special meeting held on February 20, 2015.
- b. Consideration to approve setting a public hearing for March 16, 2015 for American Legion Veterans Club for a wedding reception on 7-18-2015 at the City Auditorium.
- c. Consideration to approve setting a public hearing for March 16, 2015 for Casey Lee Walker for a variance at 1509 3<sup>rd</sup> Street.

Motion by Johnston, second by Waterland and carried with all members present voting yes to approve the following claims with the exception of **General-Grocery Mart**, \$2.29, sup & **Water-Grocery Mart**, \$31.63, sup:

**Wages** – Ambulance \$32,421.03; Attorney \$3501.99; Auditorium \$170.37; Buildings \$1022.50; Cemetery \$1273.58; City Manager \$4687.27; Community Center \$9441.87; Finance Office \$8441.16; Fire Department \$492.27; Human Resource \$2698.37; Library \$8139.90; Liquor \$4759.32; Mayor and Council \$3450.94; Parks \$10,632.83; Planning & Permitting \$4384.17; Police \$37,770.52; Rally \$5791.27; Recreation \$3835.90; Sanitary Service \$13,219.82; Streets \$11,356.90; Wastewater \$8170.54; Water \$12,208.89; Federal Withholding \$17,901.19; FICA \$13,615.60.

**General** – A & B Business, \$461.44, sup; Allegiant Emergency Services, \$1,600.22, sup; Amazon, \$59.00, sup; Amcon Distributing, \$418.21, resale; Animal Care Equipment & Service, \$532.83, sup; Baker & Taylor, \$117.31, sup; Andrew Barff, \$30.00, other; Baseline Surveying, \$575.00, prof fee; Black Hills Badlands Tourism Assn, \$330.00, pub; BHP, \$15,788.58, utilities; Leanna Borg, \$30.00, other; Sean Briscoe, \$58.68, travel; Buckle Tree, \$1,694.30, sup; Jerry Burnham, \$2,543.75, prof fee; City of Sturgis, \$50.00, prof fee; Dakota Supply Group, \$371.20, rep; Days Inn, \$174.00, travel; DEMCO, \$206.22, sup; Emergency Communications Network, \$4,893.00, other; Epic Outdoor Advertising, \$1,100.00, rent; FEDEX, \$32.65, sup; G3 Fire, \$406.00, rep; Gumdrop Books, \$313.75, sup; J&L Services, \$40.00, sup; Lisa Katzenstein, \$130.00, other; Kone, \$141.48, rep; Legends Sales & Marketing, \$21,687.73, prof fee; LPN Holdings, \$1,264.20, sup; Midamerica Books, \$56.85, sup; Mike Wolforth Photography, \$360.00, travel; Motionsoft, \$900.00, prof fee; Ben Mumm, \$68.90, sup; Natl Assn of School Resource Officers, \$40.00, other; Neve's Uniforms, \$717.60, sup; Newman Traffic Signs, \$572.55, other; Petty Cash, \$124.00, other; Public Safety Equipment, \$24.98, sup; Purchase Power, \$400.00, sup; Rapid City Journal, \$331.60, pub; Rasmussen Mechanical Services, \$332.43, rep; Rushmore Communication, \$1991.00, sup; Rushmore Office Supply, \$126.25, sup; Scheels, \$360.36, sup; Schwans, \$38.25, resale; SD Building Officials Assn, \$75.00, prof fee; SD Dept of Health, \$152.50, prof fee; SD Public Assurance Alliance, \$378.09, ins; SD Supplement Retirement, \$45.00, other; Sidehack Saloon, \$63.00, sup; Signs Now, \$2,450.00, other; Sturgis Photo & Frames, \$208.50, other; Subway, \$49.00, travel; Target.com, \$56.59, sup; TASC, \$1,383.36, ins; Twilight First Aid & Safety, \$89.25, sup; Verizon Wireless, \$2,047.10, util; Weimer's Diner & Donuts, \$28.50, sup; Wimactel, \$60.00, util; WOW! Business, \$1,914.36, util.

**Special Sales Tax** – BHP, \$139.02; Chamber of Commerce, \$9,166.67; SEDC, \$9,666.67.

**Liquor** – BHP, \$1,833.35, util; Buffalo Chip Campground, \$199.00, pub; Cask & Cork, \$113.74, off sale; Eagle Sales, \$4,002.43, off sale; Tom Ferguson, \$447.75, resale; Fisher Beverage, \$5,010.32, off sale; Johnson Western, \$11,447.05, off sale; Republic, \$14,507.27, off sale; TASC, \$35.52, ins; Valiant Vineyard, \$1,320.00, off sale; WOW! Business, \$94.57, util.

**Water** – BHP, \$234.02, util; Buckle Tree, \$402.37, sup; Campbell Supply, \$279.63, sup; CBH Coop, \$813.28, sup; Credit Collections Bureau, \$2.81, prof fee; Dakota Hardware, \$44.92, sup; Dale Escott Estate, \$7.67, refund; Ecolab Pest Eliminator, \$60.00, prof fee; Steve Gerig, \$61.11, refund; Hach, \$250.27, sup; Hawkins, \$2,048.72, sup; HD Supply Waterworks, \$2,266.90, sup; Reace Huber, \$38.74, refund; Meade County Times/Tribune, \$64.21, prof fee; Midcontinent Testing, \$138.00, prof fee; Northwest Pipe Fitting, \$90.00, sup; Owens Interstate Sales, \$7.65, sup; Petty Cash, \$2.28, sup; Regional Health Physicians, \$25.00, prof fee; Runnings Farm & Fleet, \$9.99, sup; Rushmore Office Supply, \$136.94, sup; SD Dept of Health, \$12.50, prof fee; SD One Call, \$45.51, prof fee; Servall Towel & Linen, \$11.86, sup; Sturgis Napa, \$68.87, sup; TASC, \$135.60, ins; Verizon Wireless, \$232.55, util; WOW! Business, \$232.06, util.

**Wastewater** – Advanced Engineering & Environmental, \$3,224.83, cap imp; BHP, \$2,526.93, util; Buckle Tree, \$244.97, sup; Pizza Hut, \$89.25, sup; Rushmore Communication, \$1,881.00, sup; SD Dept of Health, \$37.50, prof fee; TASC, \$100.08, ins; Verizon Wireless, \$108.30, util.

**Sanitation** – BHP, \$387.97, util; Buckle Tree, \$837.45, sup; Great Western Tire Co, \$54.00, sup; Petty Cash, \$11.00, other; Quick Signs, \$137.90, sup; RTS Shearing, \$37,125.00, other; Rushmore Communication, \$3,762.00, sup; SD Dept of Health, \$77.50, prof fee; TASC, \$233.73, ins; Verizon Wireless, \$53.58, util.

**Ambulance** – A & B Business, \$405.12, sup; Great Western Tire Co, \$799.7, sup; Nellie Isaacs, \$8.44, sup; Leavitt Heartland Insurance Service, \$98.00, ins; Julie Schmidt, \$10.01, sup; SD Supplemental Retirement, \$1,428.00, salaries; Sidehack Saloon, \$63.00, sup; TASC, \$269.31, ins; Verizon Wireless, \$589.11, util; Weimer's Diner & Donuts, \$15.6, sup; WOW! Business, \$52.64, util.

Motion by Potts, second by Bestgen and carried with Carstensen, Anderson, Bachand, Bestgen, Potts and Waterland voting yes, Johnston abstaining, to approve the following claims: **General-Grocery Mart**, \$2.29, sup & **Water-Grocery Mart**, \$31.63, sup:

Motion by Anderson, second by Bestgen and carried with all members present voting yes to approve the liquor license application for One Eyed Jacks to allow expanding the premises to the property line.

Motion by Bestgen, second by Potts and carried with all members present voting yes to table approving the request for a refund of the 2014 Vendor License Fee for the Dungeon Bar until more information can be gathered.

Kara Graveman, Executive Director of the Action for the Betterment of the Community (ABC), gave a power point presentation on Prevention, Saving Lives and Money. This presentation is available from ABC.

Motion by Potts, second by Waterland and carried with all members present voting yes to approve the quote of \$9,500 from Bridger Construction for the rally office remodel.

Motion by Waterland, second by Bachand and carried with all members present voting yes to approve second reading of Ordinance 2015-03 – Title 16 – Parking & Stopping Prohibited in Certain Places.

### **ORDINANCE 2015-03**

#### **AN ORDINANCE AMENDING TITLE 16 - TRAFFIC**

BE IT ORDAINED by the Common Council of the City of Sturgis, Meade County, South Dakota that Title 16 Traffic –Chapter 16.05.07 – Parking and Stopping Prohibited in Certain Places and Section 16.05.08 – Parking – Snow Removal amended to read as follows:

#### **16.05.07: PARKING AND STOPPING PROHIBITED IN CERTAIN PLACES**

No person operating a vehicle shall stop, stand or park such vehicle on any of the following places, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control sign or signal:

- A. Within an intersection;
- B. On a crosswalk;
- C. In front of a private driveway;
- D. On a sidewalk;
- E. Alongside or opposite any street excavation or obstruction when such stopping, standing or parking would obstruct traffic;

- F. Within 15 feet of the driveway entrance to any fire station;
- G. Within 15 feet of a fire hydrant;
- H. Within 15 feet of the point of intersection of curb lines;
- I. At a designated "loading or Passenger Zone";
- J. At a designated taxicab stand or bus stand;
- K. Any "No Parking" zone which may be designated by signs or by a curb which is painted with a solid yellow stripe; or
- L. In a public alley within the City limits, except that trucks and other vehicles may stop in such alleys for the purpose of loading or unloading merchandise or materials. The vehicles loading and/or unloading in the alleys on either side of Main Street from Middle Street to Fourth Street may stop to load or unload only while the vehicle is attended;
- M. On the roadway side of any other vehicle stopped or parked at the edge or curb of a street except temporarily engaged in the loading or unloading of passengers or materials;
- N. On the highways, streets and alleys of the City in such a manner as to obstruct vehicular or pedestrian traffic;
- O. It shall be unlawful for any person to park or leave standing any vehicle in a stall or a space designated for physically handicapped persons, if such stall or space is posted or marked in a prescribed way, unless the vehicle displays distinguishing license plates or place cards issued for handicapped persons, including disable veterans. A person convicted of violating this subsection shall be punished by a mandatory fine of not less than \$100.00. The Police Department of the City is hereby authorized to remove any vehicle at the expense of the owner of the vehicle from a stall or a space designated for physically handicapped persons, if the vehicle is parked in violation of the above provisions.
- P. It shall be unlawful for any person to park or leave standing any truck, delivery or installation vehicle on the side of or in the median of Main Street between Middle and Fourth Streets from 7:00 am until 6:00 p.m. from July 15 to August 15 each year.

#### **16.05.08: PARKING: SNOW REMOVAL**

In order that the Street Department may efficiently clean the streets and highways in the City, the Police Department or the Public Works Director is hereby authorized to place signs in any block or blocks within said City stating that snow removal will be made at a specified time in the near future in which case it shall be unlawful to park any motor vehicle upon any of the said streets or highways upon which said signs have been placed during the specified time. Such signs shall be placed at the end of each of said blocks to be cleaned.

Any vehicle parked in violation of any of the provisions of this Section may be removed by the Police Department or the Public Works Department and the owner thereof, in addition to the other penalties prescribed for the violation of this Section shall be required to pay the cost of towing and removal of said vehicle.

Dated this 2nd day of March, 2014.

First reading: 02-17-2015

Second reading: 03-02-2015

Adopted: 03-02-2015

Published: 03-11-2015

Effective: 04-01-2015

The following three bids were received: Spearfish Excavating- \$277,970.50; Peterson Excavating-\$338,643.00 and Mainline Contracting - \$284,838.45.

Motion by Bestgen, second by Potts and carried with all members present voting yes to accept the low bid from Spearfish Excavating of \$277,970.50 for Spruce Street – South, water main replacement.

The following two bids were received: Spearfish Excavating-\$238,398.43 and Mainline Contracting-\$269,470.69.

Motion by Johnston, second by Waterland and carried with all members present voting yes to accept the low bid of \$238,398.43 from Spearfish Excavating for Fulton/Sherman Water and Street Improvements.

Discussion was held on expanding the parking area at the Community Center by continuing 5<sup>th</sup> Street to the back parking lot. This would allow for seamless travel between the existing north and south parking lots and provide a new area for expanded numbers of parking spaces. Suggestions from the citizens can be left at the Community Center suggestion box.

Discussion was held on Ordinance 2015-02 - Title 30 – City Beautification and Regulation of Advertising. This ordinance will be brought to the next Council meeting for second reading.

Any other business:

- Bernadette Usera reminded everyone to get out and vote tomorrow.
- Bob Davis questioned the Council about the agenda which allows for approval of contracts, leases and resolutions after executive session.
- Kathy Christensen, representing the Chamber, reminded everyone about the mixer at the Loud American at 5:00 pm on March 3<sup>rd</sup> for awarding the special events money.

Motion by Johnston, second by Anderson and carried with all members present voting yes to go into executive session for one legal matter, three contracts and action on two contracts at 8:25 pm.

Motion by Johnston, second by Anderson and carried with all members present voting yes to return to regular session at 9:43 pm.

Motion by Johnston, second by Waterland and carried with all members present voting yes to authorize the City Manager to sign a contract with SEDC for the sale of the lot at Exit 32.

Motion by Potts, second by Bestgen and carried with all members present voting yes to authorize the City Manager to sign the sponsorship contract with Werner Trucking.

Motion by Johnston, seconded by Bestgen and carried with all members present voting yes to adjourn the meeting at 9:47 pm.

March 2, 2015

ATTEST: \_\_\_\_\_  
Fay Bueno, Finance Officer

APPROVED \_\_\_\_\_  
Mark Carstensen, Mayor

Published once at the total approximate cost of \$217.25.